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Government of Kerala
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കേരള ഗസറ്റ്
KERALA GAZETTE
അസാധാരണം
EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
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Saturday

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SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No.KLS/7829/2025-Legin1 *Dated, Thiruvananthapuram, 27th September 2025.*

THE KERALA PANCHAYAT RAJ (AMENDMENT) BILL, 2025 together with the Statement of Objects and Reasons, Financial Memorandum and the Memorandum regarding Delegated Legislation is published, under rule 69(5) of the rules of procedure and conduct of business in the Kerala Legislative Assembly.

DR. N. Krishna Kumar,
Secretary

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Fifteenth Kerala Legislative Assembly
Bill No. 274

[Translation in English of "2025-ലെ കേരള പഞ്ചായത്ത് രാജ് (ഭേദഗതി) ബിൽ" published under the authority of the Governor.]

THE KERALA PANCHAYAT RAJ (AMENDMENT) BILL, 2025

A

Bill

further to amend the Kerala Panchayat Raj Act,1994.

Preamble.-WHEREAS, it is expedient further to amend the Kerala Panchayat Raj Act, 1994 for the purposes hereinafter appearing;

BE it enacted in the Seventy-sixth year of the Republic of India as follows: -

1. *Short title and commencement.* – (1) This Act may be called Kerala Panchayat Raj (Amendment) Act, 2025.

(2) It shall come into force at once.

2. *Amendment of section 7.*- In the Kerala Panchayat Raj Act,1994 (13 of 1994) (hereinafter referred to as the principal Act), in the proviso to sub-section (4) of section 7, after the words "higher population" the words and symbols " and if the population of scheduled castes and scheduled

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tribes is equal, for the first time, reservation for which category, shall be determined by lot and in subsequent occasions, shall be determined for scheduled caste or scheduled tribe, as the case may be, by avoiding repetition" shall be added.

3. *Amendment of section 8*.- In the proviso to sub-section (4) of section 8 of the principal Act, after the words "higher population" the words and symbols " and if the population of scheduled castes and scheduled tribes is equal, for the first time, reservation for which category, shall be determined by lot and in subsequent occasions, shall be determined for scheduled caste or scheduled tribe, as the case may be, by avoiding repetition" shall be added.

4. *Amendment of section 9*.- In the proviso to sub-section (4) of section 9 of the principal Act, after the words "higher population" the words and symbols " and if the population of scheduled castes and scheduled tribes is equal, for the first time, reservation for which category, shall be determined by lot and in subsequent occasions, shall be determined for scheduled caste or scheduled tribe, as the case may be,

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by avoiding repetition" shall be added.

5. *Amendment of section 188.*- In section 188 of the principal Act.-

(i) after sub-section (1), the following sub-section shall be inserted, namely:-

"(1a) The Government may, in the prescribed manner, arrange Internal Vigilance and Monitoring System for examining documents and other matters with respect to Panchayat Administration, evaluate as to whether the developmental and welfare responsibilities vested with a panchayat and the financial and controlling powers entrusted to it are being exercised and implemented effectively and fruitfully in accordance with laws, rules and guidelines and to give timely directions to rectify lapses, if any.

(ii) for sub-section (3), the following sub-section shall be substituted, namely:-

"(3) The Government may, in the prescribed manner, make arrangements to conduct social audit in respect of the development and welfare activities undertaken and implemented by the Panchayat. ".

6. *Amendment of section 203.*- In sub-section (3) of section 203 of the principal Act, the bracket and words " (in whole number)" shall be omitted.

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7. *Insertion of new section after section 220.*- After section 220 of the principal Act, the following section shall be inserted, namely:-

" 220A. *Prohibition of structures and fixtures causing obstruction in public streets.*-(1) No person shall erect any wall , fence, rail, post, step or structures or set up fixtures by encroaching into any part of public street, well, pond , channel or drain or to occupy any part of such public street, well, pond, channel or drain.

(2) Any person for setting or tying any arch, board, hoardings, banners, digital banners, flags, flag posts, festoons in a public place or public street or over them; or in an open channel, well, pond or any street or over them ; shall obtain permission in writing from the Secretary by remitting the fee in the prescribed manner.

Provided that the Secretary shall give such permission subject to the provisions specified in the Kerala Highway Protection Act, 1999 (6 of 2000) and the Kerala Road Safety Authority Act (8 of 2007).".

8. *Amendment of section 233A.* - In section 233A of the principal Act,-

(i) in sub-section (2), for the words "may obtain" the words "shall obtain" shall be substituted;

(ii) in sub-section (3), after the words "under sub-section (1)" the words, symbol and bracket " after following the procedures under sub-section (2)" shall be inserted.

9. *Amendment of section 238.*- In clause (b) of sub-section (1) of

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section 238 of the principal Act, before the words " immediate action" the words " Secretary is satisfied that " shall be inserted, and for the words "Village Panchayat shall itself" the words and symbol

" Secretary, himself" shall be substituted.

STATEMENT OF OBJECTS AND REASONS

Provisos to sub-section (4) of section 7, sub-section (4) of section 8 and sub-section (4) of section (9) of the Kerala Panchayat Raj Act, 1994 (13 of 1994) provides that one seat shall be reserved in that Panchayat for the Scheduled Castes and Scheduled Tribes having higher population. If the population of scheduled castes and scheduled tribes is equal, for the purpose of reservation of seats, it was decided to amend the said sections of the Kerala Panchayat Raj Act, and regarding arranging for Internal Vigilance and Monitoring System and Social audit, property tax, as part of making industrial friendly, entrusting the responsibility to the Secretary in the matter of dangerous trees, the Government have decided to amend sections 188, 203, 233A and 238 of Kerala Panchayat Raj Act, 1994 suitably and it was also decided to incorporate a new provision 220A regarding the prohibition of structures and fixtures causing obstruction in public streets in the said Act.

The Bill is intended to achieve the above object.

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FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any additional expenditure from the Consolidated Fund of the State.

MEMORANDUM REGARDING DELEGATED LEGISLATION

In section 188, proposed to be inserted in the principal Act by clause 5 of the Bill, seeks to empower the Government,-

(i) sub-section (1a), to prescribe the manner for arranging the Internal Vigilance and Monitoring System to evaluate the works vested in the Panchayat and if there are lapses, to give directions to rectify the same.

(ii) sub-section (3), to prescribe the manner of conducting the social audit in respect of the Development and Welfare Activities implemented by the Panchayat.

2. Sub-section (2) of section 220A proposed to be inserted in the principal Act by clause 7 of the bill seeks to empower the Government to prescribe the manner of remitting fee in relation to the prohibition of structures and fixtures causing obstruction in public streets.

The matters in respect of which rules may be made are matters of procedure

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and are of routine or administrative in nature. Further, the rules, are subject to scrutiny by the Legislative Assembly. The delegation of legislative power is, thus, of a normal character.

M.B.RAJESH.

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